
SUBSTITUTE HOUSE BILL 1570

State of Washington 60th Legislature 2007 Regular Session

By House Committee on Select Committee on Environmental Health
(originally sponsored by Representatives Hudgins, Campbell, Wood,
Chase, Morrell, Hunt, McCoy and Kenney)

READ FIRST TIME 02/28/07.

1 AN ACT Relating to biomonitoring; adding a new chapter to Title 70
2 RCW; creating a new section; making an appropriation; and providing an
3 effective date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that:

6 (a) There are an estimated one hundred thousand chemicals
7 registered for use today in the United States, with another two
8 thousand added each year. Chemicals are found in many consumer
9 products including cosmetics, personal care products, pesticides,
10 cleaning products, fuels, and plastics. Some of these chemicals
11 persist in the environment, accumulate and remain in the body, and have
12 been shown to be toxic. Because chemicals are a part of everyday world
13 activities, Washington residents are exposed to multiple chemicals
14 every day. Young children and developing fetuses are especially
15 sensitive to some environmental chemicals, which can affect
16 neurodevelopment and cause behavioral and learning problems. The
17 state, the federal government, and other nations have targeted these
18 persistent, bioaccumulative, and toxic chemicals to reduce their impact

1 on human health and the environment. Many of the chemicals that build
2 up in the environment over time are the same chemicals that build up in
3 people.

4 (b) Biomonitoring of lead levels in children has been used for over
5 thirty years to identify how children are exposed to lead and identify
6 children who need environmental intervention and treatment.
7 Biomonitoring data was important in the decision to eliminate lead
8 additives in gasoline. As a result of these efforts, millions of
9 children have avoided the risk of reduced capacity to learn. Expanding
10 biomonitoring to focus on other important chemicals in vulnerable
11 groups can produce equally important public health protections.

12 (c) Biomonitoring information provides for the direct measurement
13 of environmental chemicals in the human body regardless of source. It
14 assists in making the connection between exposure and disease or
15 establishing that there is no connection. Biomonitoring information is
16 valuable for interpreting the public health significance of
17 environmental monitoring data, and is key for developing effective ways
18 to prevent human disease and death caused by exposure to environmental
19 chemicals.

20 (d) Biomonitoring data supports sound public health decisions by:
21 Determining exposures of chemicals to Washington residents; assessing
22 effectiveness of public health efforts to reduce exposure and current
23 regulations; setting priorities for chemical exposure reduction
24 strategies; establishing trends in chemical exposures; validating
25 modeling and survey methods, supporting epidemiological studies;
26 identifying emerging environmental problems; and assisting in emergency
27 health responses to unanticipated exposures.

28 (e) The federal centers for disease control and prevention have
29 conducted biomonitoring studies for one hundred forty-eight chemicals.
30 These studies have scientifically demonstrated that Americans of all
31 ages and races have levels of environmental chemicals in their bodies.

32 (f) The federal centers for disease control and prevention are
33 providing a grant to the Washington department of health to develop the
34 Washington state environmental public health tracking network, which is
35 designed to compile information regarding environmental chemicals,
36 human exposure to environmental chemicals, and potentially related
37 health outcomes. Biomonitoring and environmental public health
38 tracking are complementary public health efforts. Biomonitoring data

1 is valuable for understanding the links between environmental
2 contamination and human exposure and potentially related diseases, and
3 information from the Washington state environmental public health
4 tracking network helps to correctly interpret the results of
5 biomonitoring efforts.

6 (g) In 2001, the federal centers for disease control and prevention
7 provided a grant to the Washington department of health to develop a
8 state biomonitoring plan, however Washington state did not receive an
9 implementation grant for the biomonitoring plan.

10 (2) It is therefore the purpose of this chapter to authorize a
11 biomonitoring program in Washington and to identify and secure a long-
12 term funding source for implementing priorities identified for
13 Washington state.

14 NEW SECTION. **Sec. 2.** The definitions in this section apply
15 throughout this chapter unless the context clearly requires otherwise.

16 (1) "Department" means the department of health.

17 (2) "Biomonitoring" means the process by which the presence and
18 concentration of environmental chemicals or their metabolites are
19 identified within a biospecimen to assess bodily exposure.

20 (3) "Biospecimen" means a sample taken from a biophysical
21 substance, which is reasonably available within a human body, for use
22 as a medium to measure the presence and concentration of environmental
23 chemicals.

24 (4) "Environmental chemical" means those chemicals released into or
25 found in the environment that are known to adversely affect, or
26 strongly suspected of adversely affecting, human health or development,
27 based upon scientific, peer-reviewed animal, human, or in vitro
28 studies, and any substances as specified by the department under
29 section 3(4) of this act.

30 NEW SECTION. **Sec. 3.** (1) The department shall implement a
31 biomonitoring program when feasible, in consultation with the
32 department of ecology, local health jurisdictions, and other public
33 health agencies, to assist public health agencies and policymakers in
34 allocating resources to maximize improvements in environmental public
35 health by:

1 (a) Determining levels of exposure to environmental chemicals in
2 population groups that may be at increased risk of exposure;

3 (b) Measuring the prevalence of elevated levels of environmental
4 chemicals in specific population groups;

5 (c) Interpreting the public health significance of environmental
6 monitoring data;

7 (d) Assessing effectiveness of public health efforts to reduce
8 exposure to specific populations to environmental chemicals; and

9 (e) Determining the impact of public health efforts to reduce high
10 levels of environmental chemicals.

11 (2) The department shall adopt guidelines and model protocols to
12 guide state and local agencies conducting biomonitoring that are
13 consistent with the requirements and priorities of this chapter. The
14 guidelines and model protocols shall address:

15 (a) Biomonitoring analytical methods with adequate accuracy,
16 precision, sensitivity, specificity, and output;

17 (b) Protection of human subject rights, such as confidentiality and
18 voluntary and informed consent; and

19 (c) Practices to ensure acknowledgement and respect of cultural
20 differences.

21 (3) The department shall establish a framework for interpretation
22 and communication of biomonitoring data for assessing health impacts of
23 these data by:

24 (a) Providing information to participants that includes the
25 purposes of biomonitoring and the uses of biomonitoring results and
26 data;

27 (b) Ensuring biomonitoring information is provided with a clear
28 explanation of the distinction between exposure data and analysis of
29 health effects that may occur from exposures;

30 (c) Providing an assessment of impacts associated with results of
31 the biomonitoring data;

32 (d) Providing information about chemical selection and what is and
33 is not known about the chemical; and

34 (e) Recommending follow-up steps to participants and communities,
35 as appropriate.

36 (4) The department may include environmental chemicals in the
37 biomonitoring program using the following criteria:

- 1 (a) Seriousness of health effects known or suspected to result from
2 some levels of exposure;
- 3 (b) Extent of exposure to the public or specific subgroups;
- 4 (c) Expected health risks based on peer-reviewed health data, the
5 chemical structures, or the toxicology of chemically related compounds;
6 and
- 7 (d) Incremental analytical cost to perform the biomonitoring
8 analysis for an additional chemical.

9 NEW SECTION. **Sec. 4.** Sections 1 through 3 of this act constitute
10 a new chapter in Title 70 RCW.

11 NEW SECTION. **Sec. 5.** By December 1, 2007, the department of
12 health shall, in consultation with the department of ecology and local
13 health jurisdictions, provide recommendations to the governor and the
14 appropriate committees of the senate and house of representatives for
15 funding the biomonitoring program. The recommendations shall provide
16 a proposed implementation plan for the ten highest priorities
17 identified by the department of health, and shall include
18 recommendations for funding sources and cost sharing among federal,
19 state, local, and nongovernmental entities. The department of health's
20 implementation recommendations shall include the objective of
21 integrating with and complementing nationwide monitoring programs.

22 NEW SECTION. **Sec. 6.** (1) Sections 2 and 3 of this act take effect
23 July 1, 2008, if the department of health can identify funding for the
24 biomonitoring program described in section 5 of this act, and if funds
25 are appropriated for the activities described in section 3 of this act.

26 (2) The department of health shall provide written notice to the
27 legislature and the code reviser by July 1, 2008, indicating whether
28 the conditions in subsection (1) of this section have been met.

29 NEW SECTION. **Sec. 7.** The sum of ninety thousand dollars, or as
30 much thereof as may be necessary, is appropriated for the fiscal year
31 ending June 30, 2008, from the state toxics control account to the
32 department of health for the purposes of this act.

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